

SCHEDULE 2

Articles of Government

Dismissal of staff other than senior post-holders

13.—(1) The Principal may dismiss any member of staff other than the holder of a senior post and that dismissal may take immediate effect, without any need for prior notice, where the circumstances are such that he is entitled to do so by reason of the conduct of that member of staff.

(2) Before any decision to dismiss a member of staff is taken, other than a decision to dismiss him with immediate effect, the person whose proposed dismissal is to be considered and determined by the Principal shall be entitled to receive from him a written statement of the alleged conduct, characteristics or other circumstances which led to his being considered for dismissal and he shall be afforded a reasonable opportunity to consider his response to it.

(3) When sending the statement at paragraph (2), the Principal shall invite the post-holder to attend a meeting with him and no disciplinary action, except suspension, shall be taken against the post-holder until that meeting has taken place.

(4) The post-holder shall have the right to make representations at the meeting referred to at paragraph (3), including oral representations, for which purpose he may be accompanied and represented by a friend.

(5) After taking any representations into account, the Principal shall take such action as he considers appropriate, which may include dismissal, and shall communicate his decision to the post-holder concerned, notifying him of his right to appeal against it.

(6) The post-holder shall have the right to appeal to the Corporation against the Principal's decision and must do so in writing within fourteen days of receipt of that decision.

(7) Where an appeal is made under paragraph (6), the post-holder must be invited to a meeting of the Corporation, at which he may make representations, including oral representations and he may be accompanied and represented by a friend.

(8) The Principal shall not attend the meeting of the Corporation under paragraph (7).

(9) The Corporation shall consider the decision of the Principal and any representations of the post-holder and take such action as it considers appropriate and communicate its decision to the post-holder and to the Principal.

(10) Where a member of staff has been dismissed with immediate effect under paragraph (1), the Principal shall provide him with a written statement of the alleged misconduct which has led to the dismissal and the reasons why he considers he was guilty of such misconduct and notifying him of his right to appeal to the Corporation against the dismissal.

(11) A post-holder may appeal in writing to the Corporation within fourteen days of receiving a written statement under paragraph (10) and the Corporation shall, as soon as reasonably practicable after receipt of notification of such an appeal, invite him to attend a meeting, at which he may make representations, including oral representations, and may be accompanied and represented by a friend.

(12) The Corporation shall determine the appeal, having taken any representations into account, and shall notify the post-holder and the Principal of its decision.

(13) After consultation with the staff, the Corporation shall make rules setting out procedures for—

- (a) the dismissal of staff by the Principal; and
- (b) the consideration of appeals under paragraph (12), including appropriate time limits where these are not already set out in this article.